

COMMITTEE AMENDMENT FORM

DATE: 02/28/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #06-O-2302 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING SIX (6) CONDITIONS

AMENDMENT DONE BY COUNCIL STAFF 02/28/07

City Council
Atlanta, Georgia

06-O-2302

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-119
Date Filed: 10-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **34 and 36 Peachtree Avenue, N. E.** be changed from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 100 of the 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ZONING CONDITIONS

34 and 36 Peachtree Avenue Rezoning Case # Z-06-119

1. Site Plan Specific Zoning

The subject property, including without limitation, all improvements to be located thereon, shall be developed in accordance with that certain attached zoning site plan for 34 & 36 Peachtree Avenue prepared by Harrison Design Associates dated February 5, 2007 (the "Site Plan"). Among other things, the Site Plan indicates a total of eleven (11) three-story townhome units at a floor area ratio of 0.696 per acre. The Site Plan shows vehicular ingress and egress only via Peachtree Avenue.

2. Appearance and Height of Buildings

The buildings constructed on the subject property shall be designed and developed substantially in accordance with the attached front and rear elevation renderings by Harrison Design Associates dated February 5, 2007, both in architecture and in scale. The sides of the buildings facing Peachtree Avenue shall be similar in design to the attached perspective by Harrison Design Associates, except that the perspective will be revised so that the ends of the buildings facing Peachtree Avenue more closely resemble a single family home, which revised perspective shall be presented to the Garden Hills Zoning Committee not later than February 23, 2007. The townhome units shall be no more than three (3) – stories in height as defined by the City of Atlanta Zoning Ordinance, per the Site Plan.

3. Gates, Walls and Fences

The project shall not be gated. As shown on the Site Plan and on the attached front rendering, there shall be two (2) stone or brick retaining walls facing Peachtree Avenue on each side of the entrance to the project. The retaining walls shall be no more than 4 feet in height above the average grade. Fences along the eastern, western and northern property lines shall be no more than eight (8) feet in height in accordance with Zoning Ordinance § 16-28.008(5)(b).

4. Screening

Screening shall be provided between the project and the adjacent property at 38 Peachtree Avenue as shown on the attached fence detail prepared by B+C Landscape Architects dated February 5, 2007.

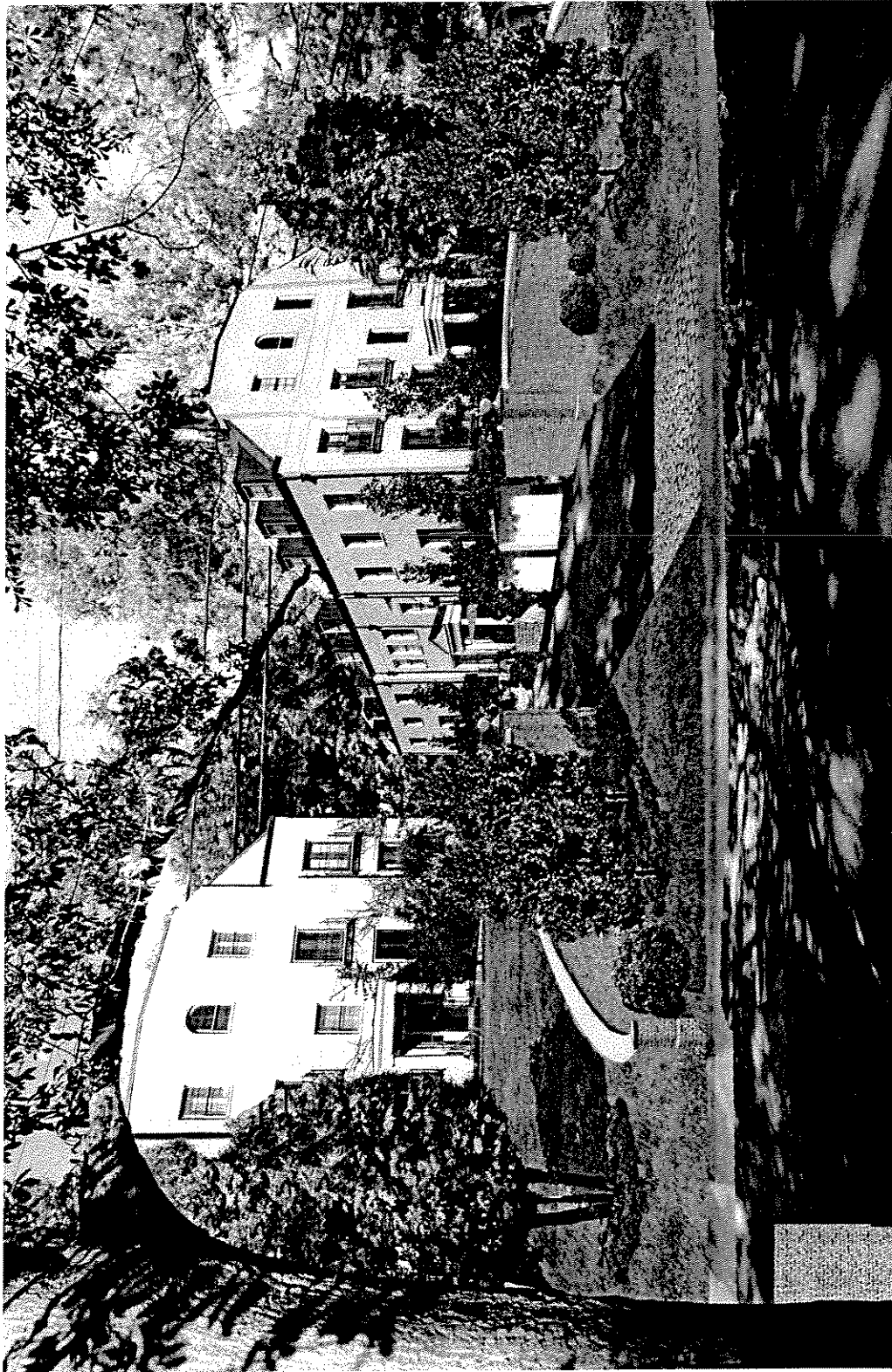
5. Parking Spaces within the Development

The Site Plan provides 26 total parking spaces for 11 homes:

Garaged in Units:	22 spaces
Surface/Guest Parking:	4 spaces

6. Exterior Materials

The exterior façades (all four sides) of each townhome shall be constructed substantially of brick or stone.



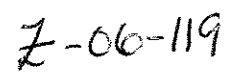
PROPOSED PERSPECTIVE
SCALE: NTS

Peachtree Avenue Brownstones, LLC.
Peachtree Avenue, Atlanta, GA

A-1.03
1/26/07
PROJECT # 1381

HARRISON
DESIGNS
ASSOCIATES
ARCHITECTS
P.C.

2-06-119

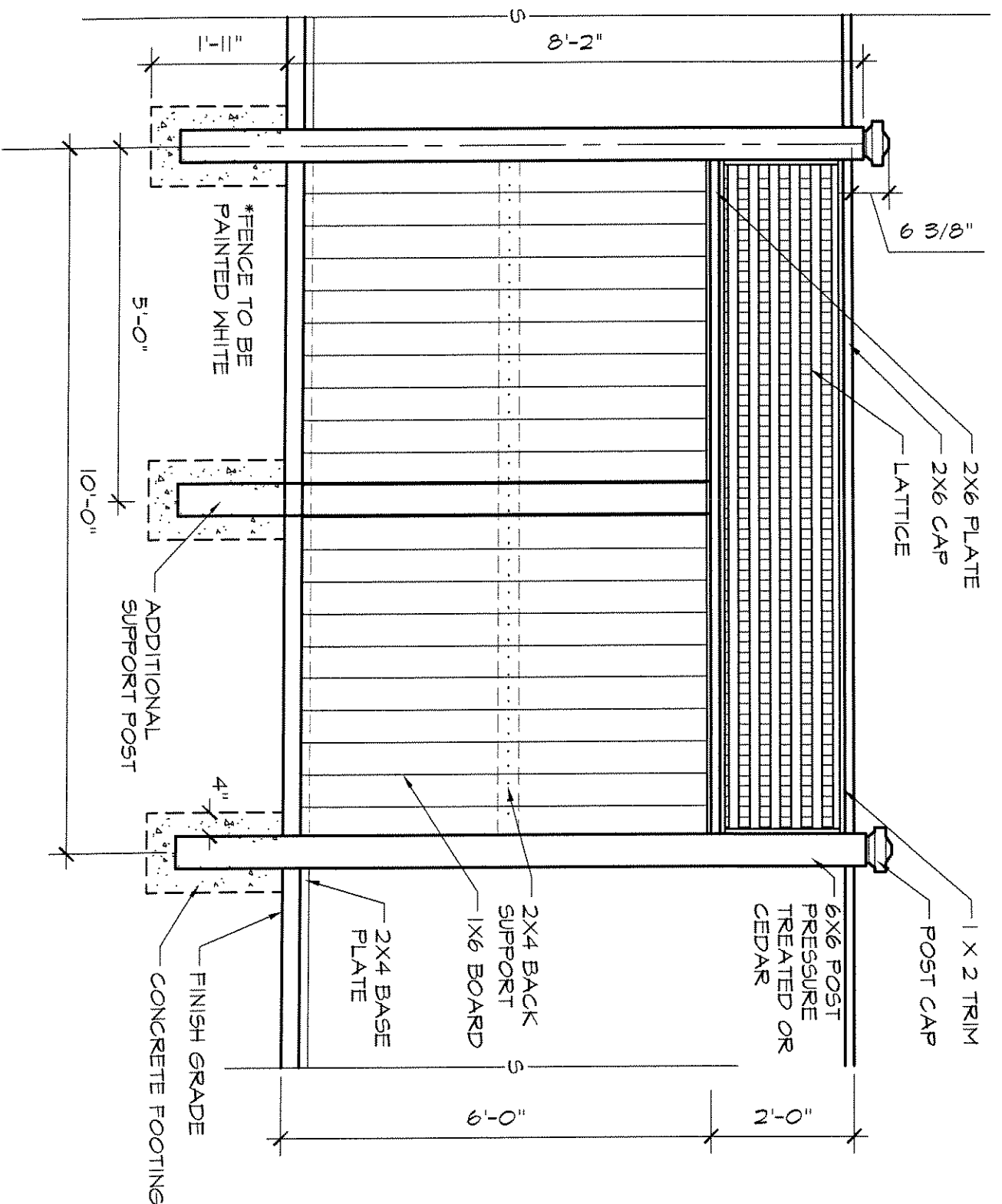


A-1.05

**HARRISON
DESIGN ASSOCIATES
ARCHITECTS**
A INC. • 314 W. 5th Street

18. Erklären Sie die Bedeutung der folgenden Begriffe:

5)



C

Lattice Top Privacy Fencing

D2.0

Scale: 1 1/2" = 1'-0"

Z-06-119

City Council
Atlanta, Georgia

06- 0-2302

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BY: ZONING COMMITTEE

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Date Filed: 10-10-06

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SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **34 and 36 Peachtree Avenue, N. E.** be changed from the RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 100 of the 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

34 Peachtree Avenue, Atlanta, GA

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 17TH DISTRICT, IN FULTON COUNTY, GEORGIA, BEING LOT 13 OF THE SUBDIVISION OF R. R. ARNOLD'S PROPERTY, RECORDED IN PLAT BOOK 9, PAGE 8, FULTON COUNTY GEORGIA RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POST ON THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE (A 50' RIGHT-OF-WAY) 950 FEET FROM THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE EASTERLY RIGHT-OF-WAY LINE OF PEACHTREE ROAD; THENCE, LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE, NORTH $08^{\circ} 01' 10''$ EAST, A DISTANCE OF 233.74 FEET TO A ONE INCH OPEN TOP PIPE; THENCE SOUTH $82^{\circ} 43' 44''$ EAST, A DISTANCE OF 60.25 FEET TO A HALF INCH REBAR ; THENCE, SOUTH $08^{\circ} 03' 34''$ WEST, A DISTANCE OF 232.35 FEET TO A HALF INCH REBAR LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE; THENCE, CONTINUING ON SAID RIGHT-OF-WAY LINE, NORTH $84^{\circ} 03' 39''$ WEST, A DISTANCE OF 60.13 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 0.321 ACRES (14,004 SQUARE FEET) AS SHOWN ON BOUNDARY SURVEY FOR BARBARA FINLEY, PREPARED BY BOUNDARY ZONE, INC, DATED AUGUST 2, 2006.

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OCT 10 2006
Bureau of
Planning

Z-06-119

Boundary Zone, Inc.
4195 South Lee Street, Suite I
Buford, Georgia 30518
(770) 271 - 5772
www.BoundaryZone.com

Project No. 0634102

36 Peachtree Avenue, Atlanta, GA

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 17TH DISTRICT, IN FULTON COUNTY, GEORGIA, BEING LOT 14 OF THE SUBDIVISION OF R. R. ARNOLD'S PROPERTY, RECORDED IN PLAT BOOK 9, PAGE 8, FULTON COUNTY GEORGIA RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A HALF INCH REBAR ON THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE (A 50' RIGHT-OF-WAY) 1016.13 FEET FROM THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE EASTERLY RIGHT-OF-WAY LINE OF PEACHTREE ROAD; THENCE, LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE, NORTH $08^{\circ} 03' 34''$ EAST, A DISTANCE OF 232.35 FEET TO A HALF INCH REBAR; THENCE SOUTH $82^{\circ} 43' 44''$ EAST, A DISTANCE OF 60.25 FEET TO A HALF INCH REBAR; THENCE SOUTH $08^{\circ} 05' 59''$ WEST, A DISTANCE OF 230.95 FEET TO A HALF INCH REBAR LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PEACHTREE AVENUE; THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH $84^{\circ} 03' 39''$ WEST, A DISTANCE OF 60.13 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 0.320 ACRES (13,932 SQUARE FEET) AS SHOWN ON BOUNDARY SURVEY FOR BARBARA FINLEY, PREPARED BY BOUNDARY ZONE, INC, DATED AUGUST 2, 2006.

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